

DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE
Minutes of the May 9, 2017 Meeting

The Douglas County Advisory Board to Manage Wildlife meeting was scheduled for 5:30 pm on Tuesday, May 9, 2017 in the Douglas County Community Center, Carson Valley Medical Center Room, 1329 Waterloo Lane, Gardnerville, Nevada.

MEMBERS PRESENT: Craig Burnside, Chairman
Bob Cook, Vice Chairman
Robert Rittenhouse
Chad Foster

MEMBER ABSENT: Mike Turnipseed

OTHERS PRESENT: Carl Lackey, NDOW biologist

PLEDGE OF ALLEGIANCE – Held.

CALL TO ORDER

Chairman Burnside called the meeting to order at 5:34 pm and determined a quorum was present. Noted was the absence of Member Turnipseed.

ROLL CALL AND INTRODUCTIONS

No introductions were necessary.

PUBLIC COMMENT

There was no public comment.

FOR POSSIBLE ACTION. APPROVAL OF AGENDA

To be considerate of Mr. Lackey's time, Chairman Burnside suggested moving items 6d and 6e before item 6a.

No public comment.

MOTION by Cook/Rittenhouse to approve the agenda with the stated change; carried with Turnipseed absent.

FOR POSSIBLE ACTION. APPROVAL OF MINUTES:

- **March 21, 2017**

No public comment.

MOTION by Cook/Foster to approve the minutes as presented; carried with Turnipseed absent.

1. FOR POSSIBLE ACTION. DISCUSSION REGARDING THE ACTIVITIES OF THE TRI-COUNTY WILDLIFE WORKING GROUP.

There was no report as the group has not met.

Member Rittenhouse stated the Carson City Advisory Board to Manage Wildlife discussed this item at their meeting and their Board is supportive of this and approved participation. Since this group will meet in an unofficial capacity with no quorum present, Carson City's attorney has stated there would be no Open Meeting Law conflict.

No action was taken.

2. FOR POSSIBLE ACTION. DISCUSSION ON USING TRAINED TRACKING DOGS FOR BIG GAME RECOVERY.

Member Rittenhouse reported while there is support for this no active participation is taking place.

3. FOR POSSIBLE ACTION. DISCUSSION ON PETITION FROM WELLINGTON/DIXON REGARDING THE LANDOWNER COMPENSATION TAG PROGRAM.

Chairman Burnside stated Mr. Dixon is requesting County Advisory Board support to put forth a petition to the Commission. Chairman Burnside supports talking about it to see if some changes could be made to make it better. If nothing changes, nothing changes.

Member Rittenhouse asked for a clarification on the issue behind this.

Chairman Burnside said he thought some hunters were denied access to the public lands through the private land of someone who participates in the landowner incentive program.

Member Rittenhouse pointed out there is a map in existence that shows an access route to the public "private island." He does not see the problem.

Member Foster feels the private landowner went through the process to get his tags and is part of the program. If he is denying people access to the public lands after he has willingly entered into the program then there is a problem that needs to be heard and resolved.

Member Rittenhouse agreed.

Carl Lackey, NDOW biologist, feels getting landowners to comply with allowing access is a constant issue.

Chairman Burnside provided information on the language in the regulation as it related to damage assessment and the requirement to try to mitigate it in the future. Some landowners do nothing to mitigate damage because tags equate to income for them.

No public comment.

MOTION by Cook/Foster to support Wellington/Dixon petition moving forward; carried with Turnipseed absent.

4. FOR POSSIBLE ACTION. DISCUSSION TO APPROVE THE DOUGLAS COUNTY ADVISORY BOARD TO MANAGE WILDLIFE BUDGET FOR FY 2017/2018.

Member Foster asked if the budget is done yearly even though the state is on the biennium.

Chairman Burnside stated yes. The request was \$4910, which is less than what was requested last year. Travel is slightly less this year because of the Commission meeting being held in Douglas County in August.

No public comment.

MOTION by Cook/Rittenhouse to approve the budget for the next fiscal year as presented; carried with Turnipseed absent.

5. FOR POSSIBLE ACTION. DISCUSSION TO EVALUATE THE PERFORMANCE OF THE RECORDING SECRETARY AND TO CONSIDER A MERIT INCREASE.

The members stated appreciation for the work done by the recording secretary.

No public comment.

MOTION by Cook/Foster to pay the Recording Secretary \$30.00 per hour; carried with Turnipseed absent.

6. The following items, 6a through 6f, are items that will be heard before the Nevada Board of Wildlife Commissioners at the next meetings, May 12 & 13, 2017, at the Truckee Meadows Community College, 7000 Dandini Boulevard, Sierra Building – Room 108, Reno, Nevada. The Douglas County Advisory Board to Manage Wildlife may take the following action, or a variation thereof, on each item: support the item, not support the item or not take a position on the item. Public Comment will be allowed on each item.

6a–6f. DISCUSSION AND POSSIBLE ACTION REGARDING WHETHER THE DOUGLAS COUNTY ADVISORY BOARD SHOULD TAKE A POSITION ON:

6d. FOR POSSIBLE ACTION. DISCUSSION ON THE DEER AND ANTELOPE COMPENSATION TAG PROGRAM. The Department will provide a briefing to the Commission on the existing Landowner Deer and Antelope Compensation Tag Program, recent history, and management options. The Commission will discuss and may direct the Department to develop a draft Commission Regulation regarding options regarding the Landowner Deer and Antelope Compensation Tag Program. (*Wildlife Commission Agenda Item 16*)

Chairman Burnside stated the statute caps the number of landowner tags at 1.5% of the quota for tags. For the first time, the applications being submitted for these tags exceed the 1.5% based on the quotas being considered tonight. Several ideas are being suggested to the manage distribution.

Carl Lackey, NDOW biologist, provided the process used once a landowner reports damage. If damage is reported, a visit is made to the site to count the deer or antelope. The rule is one tag per 50 deer. The tags are valuable to the landowner and must be used during the season.

Member Foster asked if the issue this year is more about the increased applications and less about the number of deer. Mr. Lackey was unsure but stated this problem has been brewing for quite a while.

Chairman Burnside thought the numbers for this year were determined during the last growing season. Prior to this winter the drought was in full effect and the range conditions were not great so there may have been higher number of animals going onto the private land to get feed.

Member Foster feels 100 head of deer or antelope on a small farmer's property will result in a greater proportion of damage than it would on a larger landowner's property. He suggested figuring in the total acreage of land along with doing the counts. He realizes this would make it a little more complicated and time consuming.

Chairman Burnside stated the person who gets 10 landowner tags could probably get by better with one or two less than the person who gets only 1. There will be 56 tags fewer than what is being requested.

The members reviewed and discussed the pros and cons of each of the suggestions presented in the support material.

Regarding the idea relating to eliminating counts during the dormant season, Chairman Burnside presented the scenario of a rancher growing their own alfalfa and putting it up for feed during the non-growing season. Green alfalfa will create bloat in cows but once the alfalfa has been hit with a frost, the cows can graze on it. You cannot discount the dormant season because that is forage his stock would be utilizing after the frost. If other animals are using it too he is still sustaining damage. If it is during the fall and there is hunting pressure, the animals can go onto private property to avoid being shot. The

damage could be in excess of what it would be in the growing season if more animals are concentrated there.

Member Foster added alfalfa in bales or stacks, if not fenced, will not stop the deer from coming in and chewing on the bales and that is still damage.

Chairman Burnside supports requesting voluntary reductions to begin with. If more are needed after that, a proportional reduction could be done.

Member Foster does not want to see a landowner voluntarily give up a couple of tags to find the Department did not get down to their quota and then that same landowner loses another tag.

Chairman Burnside thought the proportional reduction would be the fairest.

Member Foster would like to have some type of acreage calculation. He also does not want to see the landowner getting only one tag be taken down to zero.

Vice Chairman Cook likes the proportional reduction if no equitable agreement can be reached.

Member Rittenhouse asked how much the landowner tag can be sold for. Mr. Lackey stated it could be several thousand dollars. Member Rittenhouse thought the landowner could make up the difference in the number of tags with the price of the tags if the tags are reduced across the board. He asked if the landowner could fill the tag.

Member Foster answered they can but it has to be during the seasons, in the weapons class, and on his land or in the hunt area his land is located in.

Mr. Lackey confirmed this was a combination of deer and antelope tags combined. The counts happen year-round but in the dormant season there are less animals because there is nothing for them to eat. He reminded them any increase in the number of tags would come off the sportsmen quota.

No public comment.

MOTION by Foster/Cook to recommend approval about the discussion on deer and antelope compensation tag program and we support the proportional reduction of tags to all qualified cooperators as the first solution with the caveat that no landowner be reduced from one to zero; carried with Turnipseed absent.

6e. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-13, 2017 BIG GAME QUOTAS FOR THE 2017-2018 SEASON. The Commission will establish regulations for the numbers of tags to be issued for mule deer, pronghorn antelope, elk, bighorn sheep, black bear, and mountain goats for the 2017 - 2018 seasons. (*Wildlife Commission Agenda Item 17*)

Chairman Burnside thanked Mr. Wakeling for providing a summary of the changes to the quotas from last year.

BEAR

Carl Lackey, NDOW biologist, stated he is recommending three hunt unit groups to distribute hunters. 56% of the bears killed since the inception of the hunt have been taken out of the Pine Nuts. He cited the ratios of the numbers of females killed to the total numbers of bears killed for the Pine Nuts. The numbers are low and may not mean anything but the perception may be that too many females are being killed.

The harvest over the last six years was separated out by unit groups being proposed and revealed by having 6 in the Carson Range, 6 in the southern units, and 8 in the Pine Nuts, there would have been only one year where the limit would have been reached in the Carson Range, one year in the southern area, and two years in the Pine Nuts. Separating the harvest limits into unit groups as proposed may not have an effect on unit group closures. By the time we get to 7 or 8 bears in the Pine Nuts, the data shows the season is basically done. The highest percentage of females killed were in the Carson Range and that is also where the lowest percentage of people are using dogs and yet the lowest percentage of females killed are in the Pine Nuts and that is where the high percentage of dog use occurs. It seems using dogs increases the chance of getting a bear.

Chairman Burnside asked if the vehicle versus bear incidents have decreased since the hunt started and Mr. Lackey stated no because the bears are moving around to find food.

No public comment.

MOTION by Cook/Rittenhouse to leave the harvest limit for bears at 20 and increase the tags to 51 with 45 being resident tags, 5 being non-resident tags, and 1 being a Governor's tag; carried with Turnipseed absent.

ANTELOPE

Chairman Burnside reviewed the quotas.

No public comment.

MOTION by Burnside/Cook to recommend approval of antelope as written; carried with Turnipseed absent.

BIGHORN SHEEP

The tags were reviewed and it was noted the resident tags were decreased by 1 and the nonresident tags were increased by 1. The members were not in favor of doing that.

No public comment.

MOTION by Foster/Cook to reduce the any legal weapon hunt 8251 in unit 032 from 3 to

2 for a total of 5 for nonresident and increase any legal weapon hunt 8151 from 11 to 12 in hunt unit 032 and everything else remain the same; carried with Turnipseed absent.

MOUNTAIN GOATS

The members reviewed the recommendations and it was pointed out a new nonresident hunt was added. The resident quotas are being reduced by 5.

Chairman Burnside feels decreasing tags to residents and increasing tags to nonresidents is philosophically wrong. If there is a reduction in tags, it should be proportional to the nonresidents too.

All members agreed with Mr. Burnside and Member Foster believes they are reducing resident tags to get more money out of nonresident tags. With that few tags, they should all stay in-house.

No public comment.

MOTION by Cook/Foster to increase the tags in hunt 7151 in unit 102 from 6 to 7 and reduce the quota to zero for hunt 7251 in unit 102; carried with Turnipseed absent.

ELK

The members reviewed this in depth and pointed out the hunts where decreases are being proposed for residents and increases are being proposed for nonresidents. They feel significant reductions are being proposed for residents and wanted the rationale for doing so.

Carl Lackey, NDOW biologist, relayed information to the members stating the formula is based on demand/success ratios. The objectives have been reached in a lot of areas so the quotas are going down.

Chairman Burnside asked if it is based on demand for the tags because the numbers should be based purely on science. Mr. Lackey stated they are directed to establish quotas by considering first choice applications for that unit and the success rate from the previous year. Those numbers are part of the formula along with how many tags are available and then they are distributed among the weapons classes by unit. Demand equals first choice applications. If demand drops and success is up, it will generally lower the quotas.

Member Foster tallied the numbers for nonresident elk hunts for 2016 versus 2017 and said they will be increasing the combined total from 553 to 583 in a year where they are saying they are wanting a reduction in elk tags. 81 are new hunts open to nonresidents. He does not support that. The only increases in resident elk tags were in hunts 4156 and 4651. Otherwise across the board, all other resident elk hunts are being reduced.

Chairman Burnside reviewed nonresident hunts for bulls and said overall the number of

rifle tags is decreasing by 10, the number of muzzleloader tags are increasing by 3, archery is increasing by 5 so bull tags for nonresidents is a decrease of 1. Cow tags for rifle is decreasing by 20 but there is an increase in the delk hunt and 13 new muzzleloader and 12 new archery tags are being offered Overall cow tags are being increased by 31, which is a 10% increase.

Reviewing the resident tags, Chairman Burnside noted there is a significant reduction in cow tags for residents but an increase of 30 for nonresidents.

Mr. Lackey suggested contacting the staff biologist for elk to get a further explanation on this issue.

Member Foster thinks they cannot maintain the 10% nonresident to resident ratio. The resident is going down and the nonresident is going up. While he favors the 10% to nonresidents, the math does not work.

Chairman Burnside understands the biological reasons for decreasing the number of cow tags but the decrease should be proportional between residents and nonresidents.

Vice Chairman Cook believes this is a revenue driven decision.

Chairman Burnside indicated general agreement with what is being done for elk as far as reductions for cows and the slight increase for bulls but he has a philosophical problem with the increases in the number of cow tags given to nonresidents versus a reduction to residents.

Member Foster is not opposed to opening new hunts but there is no reason to give as many tags as they are.

Member Rittenhouse believes any decreases should be proportionally heavier for the nonresident and not the other way around.

Member Foster believes other resident hunters would not be agreement with this if they were aware of it.

No public comment.

MOTION by Burnside/Foster to agree with the reduction in antlerless tags but opposes an increase in nonresident antlerless tags; carried with Turnipseed absent.

MULE DEER

The members reviewed the supporting material by hunt.

Member Foster does not care as much about the percentages as long as the decrease

is being mirrored the same. If it is lowered in the resident it should be lowered in nonresident too.

Carl Lackey, NDOW biologist, stated the changes in quotas is due to demand/success. There are only so many bucks in the population and a certain number are killed every year to keep the post hunt buck ratio to around 30. He reminded them last year's quotas may not have been the department's recommendation from last year. When the department's recommendations are consistently changed, it will eventually catch up and you will see the result of that.

Member Cook restated his frustration with the timing of the closure of the gates by the U.S. Forest Service. It limits access to the area. The closure is tied to a date unless it snows first.

Chairman Burnside asked if the gate will open later this year due to the amount of snow still on the mountain.

Vice Chairman Cook thought the opening would be delayed to minimize the amount of damage done by people driving in the area and creating further erosion.

Member Foster pointed out there is still access to the area but by other means. However, access to the area will determine someone's picks.

No public comment.

MOTION by Foster/Cook to recommend approval of the mule deer hunts with the exception of hunts 1371 and 1341. There should be no increase in nonresident tags when there is a decrease in resident tags; carried with Turnipseed absent.

6a. FOR POSSIBLE ACTION. DISCUSSION ON THE LEGISLATIVE COMMITTEE REPORT. A report will be presented on the committee's recent meeting. The Commission may review bills of interest and any associated amendments, consider legislative committee recommendations and may take official positions on those bills. The Commission may also choose to develop platforms on bills by supporting or opposing general concepts contained within bills rather than specific language. (Support materials are as of the Legislative Committee meeting held on May 3, 2017. Bill and BDR language may be viewed online at: <https://www.leg.state.nv.us/App/NELIS/REL/79th2017> (Wildlife Commission Agenda Item 6)

Chairman Burnside stated he attended the Legislative Committee meeting in Reno on May 3rd. He highlighted SB364 and talked about the changes to the bill.

The members reviewed the bills and discussed SB221.

Member Foster would like to see them use the heritage account to fund the Public Education Committee since the money is just sitting there.

Member Rittenhouse noticed the amount of water bills coming forward. He does not understand why the water for guzzlers on public land is being regulated. He discussed the projects coming to Las Vegas that will require a significant amount of water.

No public comment.

No action was taken.

6b. FOR POSSIBLE ACTION. DISCUSSION ON PRESENTATION OF FISCAL YEAR 2018 DRAFT PREDATION MANAGEMENT PLAN (FINAL DRAFT). The Commission will review with the Department the third and final draft of the Fiscal Year 2018 Draft Predation Management Plan. The Commission may take action to modify or endorse the plan. (*Wildlife Commission Agenda Item 7*)

No public comment.

MOTION by Foster/Rittenhouse to recommend approval of the 2018 Draft Predation Management Plan as written, carried with Turnipseed absent.

6c. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION GENERAL REGULATION 466, PARTNERSHIP IN WILDLIFE (PIW) DRAWING, CHANGES TO NONRESIDENT RESTRICTED DEER TAG, AND CHANGES TO BIG GAME RETURN CARD QUESTIONNAIRE DEADLINE, LCB FILE NO. R140-16. The Commission will hold a second workshop to consider a regulation relating to amending Chapter 502 of the Nevada Administrative Code (NAC). This regulation defines the term “main drawing;” revises the order in which the Silver State Tag drawing, PIW tag drawing and main tag drawings are conducted; authorizes an applicant for a nonresident restricted deer tag to apply for a nonresident deer tag in the PIW tag drawing and the Silver State tag drawing in the same year; and revises the big game return card questionnaire deadline from 5 p.m. to 11 p.m.

A workshop was held in Las Vegas on March 25, 2017. The Commission requested a second workshop due to questions the Commission had: 1) What are the effects on the applicant and the party if the applicant is drawn for the PIW tag; 2) Why are the predator and/or other fees not collected when applying for PIW; and 3) What is the nonresident process for applying for PIW. (*This item is agendaized as a workshop on the Nevada Board of Wildlife Commissioners' Agenda*) (*Wildlife Commission Agenda Item 8*)

No public comment.

MOTION by Burnside/Rittenhouse to recommend approval as written; carried with Turnipseed absent.

6d. FOR POSSIBLE ACTION. DISCUSSION ON THE DEER AND ANTELOPE COMPENSATION TAG PROGRAM. The Department will provide a briefing to the Commission on the existing Landowner Deer and Antelope Compensation Tag

Program, recent history, and management options. The Commission will discuss and may direct the Department to develop a draft Commission Regulation regarding options regarding the Landowner Deer and Antelope Compensation Tag Program. (*Wildlife Commission Agenda Item 16*)

This item was heard earlier in the meeting.

6e. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-13, 2017 BIG GAME QUOTAS FOR THE 2017-2018 SEASON. The Commission will establish regulations for the numbers of tags to be issued for mule deer, pronghorn antelope, elk, bighorn sheep, black bear, and mountain goats for the 2017 - 2018 seasons. (*Wildlife Commission Agenda Item 17*)

This item was heard earlier in the meeting.

6f. FOR POSSIBLE ACTION. DISCUSSION ON COMMISSION REGULATION 17-14, 2017 LANDOWNER DEER AND ANTELOPE COMPENSATION QUOTAS. Landowner deer and antelope compensation quotas are set annually, according to NRS 502.145, at 1.5 percent of the total deer and antelope quotas. The 1.5 percent is generated from the total deer and antelope quotas, which are established in CR 17-13. As a result of this cap being established the deer and antelope damage compensation tag allocations for the 2017 season may exceed the 1.5 percent statutory cap. The Commission may vote to adopt a regulatory model that changes the allocation of the tags to meet the statutory cap. (*Wildlife Commission Agenda Item 18*)

At the Board's direction, the discussion from item 6d is being carried over to this item.

Chairman Burnside stated the statute caps the number of landowner tags at 1.5% of the quota for tags. For the first time, the applications being submitted for this tag exceed the 1.5% based on the quotas being considered tonight. Several ideas are being suggested to the manage distribution.

Carl Lackey, NDOW biologist, provided the process used once a landowner reports damage. If a request for a tag is received, a visit is made to the site to count the deer or antelope. The rule is one tag per 50 deer. The tags are valuable to the landowner and must be used during the growing season.

Member Foster asked if the issue this year is more about the increased applications and less about the number of deer. Mr. Lackey was unsure but stated this problem has been brewing for quite a while.

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Member Foster answered they can but it has during the seasons, in the weapons class, and on his land or in the hunt area his land is located in.

Mr. Lackey confirmed this was a combination of deer and antelope tags combined. The counts happen year-round but in the dormant season there are less animals because there is nothing for them to eat. He reminded them any increase in the number of tags would come off the sportsmen quota.

No public comment.

MOTION by Burnside/Cook to recommend the Commission vote to adopt the Landowner Deer and Antelope Commission tags as presented and adopt any regulation needed to equitably distribute tags; carried with Turnipseed absent.

7. CORRESPONDENCE OR COMMUNICATIONS BOARD MEMBERS HAVE RECEIVED.

All members received correspondence from nongovernment organizations about positions on legislative bills.

Vice Chairman Cook received phone calls from the Carson City Advisory Board to Manage Wildlife.

8. DISCUSSION ON THE RESULTS OF THE MARCH 24 & 25, 2017 NEVADA BOARD OF WILDLIFE COMMISSION MEETINGS. There will be no action taken.

Member Foster updated the members on the discussions/activities at the Commission meeting on the following items:

- Shooting Complex
- legislative items
- predator management plan
- ravens
- public comment made on the Commission going to the legislature to take a “no position” position on a bill
- lands bills
- wolf sighting in Nevada
- field trip to Sand Mountain and the discussion on reptiles
- PIW and party tags
- Waterfowl approvals
- Meeting schedule and county advisory board participation

This was a discussion only.

9. FOR POSSIBLE ACTION. DISCUSSION REGARDING ADVISORY BOARD MEMBER COMMITMENTS TO ATTEND UPCOMING WILDLIFE COMMISSION MEETINGS AND TO REPRESENT THE FINDINGS OF THE DOUGLAS COUNTY WILDLIFE ADVISORY BOARD. ONE MEMBER WILL BE DESIGNATED AS A SPOKESMAN FOR THE DOUGLAS COUNTY ADVISORY BOARD.

Chairman Burnside will attend the Reno meeting. Either Member Rittenhouse or Cook may attend the Las Vegas meeting.

10. FOR POSSIBLE ACTION. DISCUSSION TO SCHEDULE THE NEXT DOUGLAS COUNTY WILDLIFE ADVISORY BOARD MEETING. The next

Commission meeting is scheduled for June 23 and 24, 2017, in Las Vegas, and the Commission will review and discuss potential agenda items for that meeting.

The next Douglas County Advisory Board to Manage Wildlife meeting is tentatively scheduled for Tuesday, June 20, 2017.

11. FUTURE AGENDA ITEMS.

- Wildlife Working Group

CLOSING PUBLIC COMMENT.

No public comment.

ADJOURNMENT

There being no further business to come before the DCABMW, the meeting adjourned at 8:40 p.m.

The minutes of the May 9, 2017 meeting of the Douglas County Advisory Board to Manage Wildlife are so approved this 20th day of June 2017.

Respectfully submitted:

Craig Burnside, Chairman